



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/030,766	10/22/2001	Sin Hui Cheah	RCA 89520	2040

7590 02/22/2006
Joseph S Tripoli
Thomson Multimedia Licensing Inc
PO Box 5312
Princeton, NJ 08540

EXAMINER

SELLERS, DANIEL R

ART UNIT PAPER NUMBER

2644

DATE MAILED: 02/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/030,766	CHEAH ET AL.	
	Examiner	Art Unit	
	Daniel R. Sellers	2644	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7,9, and 10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7,9 and 10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaganas and Truong et al., U.S. Pat. No. 6,173,057 (hereinafter Truong).

3. Regarding the amended claim 1, Kaganas teaches the features of identifying a selected audio data file (Col. 5, lines 4-14), identifying a decoder file (Col. 6, lines 46-48), transferring the selected audio data file and the associated decoder file (Col. 6, lines 6-8), decoding the selected audio data file (Col. 7, line 14), and providing the decoded audio data file (Col. 5, lines 31-36). Kaganas does not teach the step of decrypting the audio data file using a unique identification associated with the storage device. Truong teaches a system for controlling access to information (Col. 1, lines 59-63). The teachings include using a unique identification and keys for decrypting the data and the applications (Col. 3, lines 10-16, lines 22-26, lines 34-41, and Col. 4, lines 5-10). It would have been obvious for one of ordinary skill in the art to combine the teachings of Kaganas and Truong for the purpose of copy protection.

4. Regarding claim 2, the further limitation of claim 1, see Kaganas

... further comprising the step of reading a configuration file that associates each one of a plurality of audio data files with a particular one of a plurality of decoder files, and the identifying the decoder file step comprises identifying the decoder file using the configuration file.

Kaganas teaches the use of a plurality of codecs, and it is inherent that a codec is associated with a file format. Kaganas also teaches the use of an operating system for a plurality of uses, wherein they teach the use of Windows 95® when discussing e-mail and other communication features (Col. 3, lines 28-34). Popular operating systems maintain a list of programs associated with file types, such as ASCII text files. It is inherent that an operating system used for playback on the system of Kaganas maintains a configuration file regarding the association of codecs and audio data files.

5. Regarding claim 3, the further limitation of claim 2, see Kaganas

... wherein the removable data storage device is a solid state data storage device. (Col.7, lines 44-52)

Kaganas teaches the use of solid state removable media.

6. Regarding amended claim 4, see the preceding argument with respect to claim 1.

Kaganas teaches a user input means (Fig. 1, unit 44), data input means (Fig. 1, unit 37), a digital signal processor (Fig. 1, unit 31), and a micro-controller with these features (Fig. 1, unit 32 and Col. 2, lines 10-13). The combination of Kaganas and Truong teach the amended features.

7. Regarding claim 5, the further limitation of claim 4, see the preceding argument with respect to claim 3. Kaganas teaches the use of a solid-state data storage device that is removable.

8. Regarding amended claim 6, see the preceding argument with respect to claims 4 and 5. The combination of Kaganas and Truong teaches a portable audio playback system with these features.

9. Regarding claim 7, the further limitation of claim 6, see the preceding argument with respect to claim 5. Kaganas teaches a removable solid-state storage device.

10. Regarding claim 9, see the preceding argument with respect to claim 2. Kaganas inherently teaches the use of configuration files with codec-file associations.

11. Regarding new claim 10, see the preceding argument with respect to claim 1. The combination of Kaganas and Truong teach these features.

Response to Arguments

12. Applicant's arguments with respect to claims 1-7 and 9-10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel R. Sellers whose telephone number is 571-272-7528. The examiner can normally be reached on Monday to Friday, 9am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on (571)272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2644

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DRS



SINH TRAN
SUPERVISORY PATENT EXAMINER